APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/954,648	09/18/2001	Judith F.M. Masthoff	PHGB 000126	7500

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EXAMINER
KE, PENG

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 08/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/954,648	MASTHOFF ET AL.
	Examiner	Art Unit	
	Peng Ke	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>31 May 2006</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-18 and 20</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-18 and 20</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to communications: Amendment, filed on 5/31/06.

This action is made Final.

Claims 1-18, and 20 are pending in this application. Claims 1 and 7 are independent

claims. In the amendment, filed in 5/31/06, claims 1 and 7 were amended and claim 19 was

cancelled.

Claim Rejections - 35 USC § 112

Claims 1-18, and 20 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

The limitation regarding "single clicking of an input device to accept the displayed

optimized arrangement and double clicking of the input device to cancel the display optimized

arrangement" is not supported by the specification or the original claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claims 1-18 and 20 rejected under 35 U.S.C. 103(a) as being unpatentable over

Hochstedler U.S. Patent 6,707,476 in view of Hoffberg U.S. Patent 6,400,996 in view of Sakata

US Patent 6,593,938, further in view of Hong US Patent 7,079,166.

As per claim 1, Hochstedler teaches a method of customizing a graphical user interface

for a computer controlled system having at least one selectable parameter, comprising the steps

of:

devising an optimized arrangement of the parameter selection which matches a pattern of

selection; (see Hochstedler, column 5, lines 37-column 6, lines 34)

actuating an input mechanism such that a first actuation of the input device accepts the

displayed optimized arrangement and a second actuation of the input device cancels the

displayed optimized arrangement. (see Hochstedler, column 8, lines 43-55)

However Hochstedler fails to teach monitoring the selection of the at least one selectable

parameter by a user, and determining any pattern of selection.

Hoffberg teaches monitoring the selection of the at least one selectable parameter by a

user, and determining any pattern of selection. (see Hoffberg, abstract, lines 1-21; col. 50, line

53-col. 51, line 14; col. 116, lines 50-64)

It would have been obvious to an artisan at the time of the invention to include

Hoffberg's teaching with the method of Hochstedler in order provide users with an adaptive user

interface that changes in response to users' past history.

However, both Hochstedler and Hoffberg fail to teach displaying the optimized

arrangement.

Sakata teaches allowing user to preview an optimized arrangement. (column 16, lines 38-

column 17, lines 5)

It would have been obvious to an artisan at the time of the invention to include Sakata's

teaching with the method of Hochstedler and Hoffberg in order to provide a preview of the

optimized arrangement.

However Hochstedler, Hoffberg, and Sakata fail to teach single clicking of an input

device to accept and double clicking to cancel.

Hong teaches single clicking of an input device to accept and double clicking to cancel.

(column 5, lines 45-column 6, lines 15)

It would have been obvious to an artisan at the time of the invention to include Hong's

teaching with the method of Hochstedler, Hoffberg, and Sakata in order to allow a user to move

easily through different screens of the interface.

As per claim 2 Hochstedler, Hoffberg, Sakata, and Hong teach a method according to

Claim 1. Hochstedler further teaches the parameters are displayed as a menu and the order of the

parameters in the menu is varied. (see Hochstedler, column 5, lines 37-column 6, lines 34)

As per claim 3, Hochstedler, Hoffberg, Sakata, and Hong teach a method according to

Claim 1. Hoffberg further teaches the selectable parameters are channels of a multi-channel

television system. (see Hoffberg, column 116, lines 37-49, column 50, lines 53-62)

It would have been obvious to an artisan at the time of the invention to include

Hoffberg's teaching with the method of Hochstedler in order provide users with an adaptive

television navigational interface.

As per claims 4, 5 and 6, Hochstedler, Hoffberg, Sakata, and Hong teach a method

according to claim 1. Hoffberg further teaches the method in which the selectable parameters are

processing parameters of an optical processing system that is an x-ray image processing or

recording system (medical device interfaces) (see Hoffberg, col. 131, line 49-col. 132, line 17).

As per claim 7, Hochstedler teaches a computer controlled system having a customizable

graphical user interface by which a plurality of parameters can be selected comprising:

display means to display the parameters;

selection means to select the parameters; (see Hochstedler, column 5, lines 37-column 6,

lines 34)

an input device arranged so that a first actuation of the input device accepts the optimized

arrangement and a second actuation of the input device cancels the optimized arrangement. (see

Hochstedler, column 8, lines 43-55)

However Hochstedler fails to teach monitoring means to monitor the selection of

parameters and to devise an optimized arrangement of the parameter selection.

Hoffberg teaches monitoring means to monitor the selection of parameters and to devise

an optimized arrangement of the parameter selection. (see Hoffberg, abstract, lines 1-21; col. 50,

line 53-col. 51, line 14; col. 116, lines 50-64)

It would have been obvious to an artisan at the time of the invention to include

Hoffberg's teaching with the method of Hochstedler in order provide users with an adaptive user

interface that changes in response to users' past history.

However, both Hochstedler and Hoffberg fail to teach displaying the optimized
arrangement.

Sakata teaches allowing user to previewing an optimized arrangement. (column 16, lines
38-column 17, lines 5)

It would have been obvious to an artisan at the time of the invention to include Sakata's
teaching with the method of Hochstedler and Hoffberg in order to provide a preview of the
optimized arrangement.

However Hochstedler, Hoffberg, and Sakata fail to teach single clicking of an input
device to accept and double clicking to cancel.

Hong teaches single clicking of an input device to accept and double clicking to cancel.
(column 5, lines 45-column 6, lines 15)

It would have been obvious to an artisan at the time of the invention to include Hong's
teaching with the method of Hochstedler, Hoffberg, and Sakata in order to allow a user to move
easily through different screens of the interface.

As per claim 8, Hochstedler, Hoffberg, Sakata, and Hong teach a system according to
claim 7. Hochstedler further teaches the input device is a single button control. (see Hochstedler,
column 1, lines 10-15; Touch pad is a single button control.)

As per claim 9, Hochstedler, Hoffberg, Sakata, and Hong teach a method according to
Claim 1. Hochstedler further teaches in which the selectable parameters are displayed as a menu
in the optimized arrangement and the first actuation of the input device accepts the optimized

arrangement and the second activation of the input device cancels the optimized arrangement.

(see Hochstedler, column 8, lines 43-55)

As per claim 10, Hochstedler, Hoffberg, Sakata, and Hong teach a method according to

Claim 9. Hochstedler further teaches the selectable parameters that are displayed on the menu

are arranged in accordance with user preferences. (see Hochstedler, column 7. lines 47-60)

As per claim 11, Hochstedler, Hoffberg, Sakata, and Hong teach a method according to

Claim 9. Hochstedler further teaches the selectable parameters that are displayed on the menu are

arranged according to recent usage.

As per claims 12-14, they are of the same scope as claims 9-11 and are rejected

respectively. Supra.

As per claim 15, it is of the same scope as claim 3. Supra

As per claims 16-18 are of the same scope as claims 4-6, and are rejected respectively.

Supra.

As per claim 20, it is of the same scope as claim 8. Supra.

Response To Argument

Applicant's arguments with respect to claims 1-18, and 20 have been considered but are

deemed to be moot in view of the new grounds of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Peng Ke whose telephone number is (571) 272-4062. The

examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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